



January 5, 2004

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
9300 E HAMPTON DRIVE
CAPITOL HEIGHTS, MD 20743

FCC CC Docket 02-6
REQUEST FOR REVIEW

Contact Information
Rob Nash-Boulden
Regional Accounting Manager
602-470-1234 - phone
602-470-4321 - fax
rob.nash-boulden@compel.com - email
SPIN #143008749

SLD ACTION BEING APPEALED Administrator's Decision on Invoice Deadline Extension request

FUNDING REQUEST NUMBER BEING APPEALED
587032

Basis of Appeal

Compel filed an appeal with the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) on 12/24/02

Compel received notification 11/11/03 from USAC that the Decision on this Request was DENIED

Compel wishes to appeal this decision by USAC to the FCC

Compel was notified on 12/2/02 by Ms. Suzanne Lacomia of SLD that Compel's above referenced invoice #203961 in the amount of \$99,783.13 had been rejected

Compel was further notified by Suzanne Lacomia that the reason for this decline / rejection was that on the original form 471 application, Washington Elementary School District errantly applied for funding for ELIGIBLE RECURRING CHARGES rather than the ELIGIBLE NON-RECURRING (ONE TIME) CHARGES that Compel provided

Compel provided Washington Elementary School District with NON-RECURRING services in the form of Internal Connections and billed upon completion of the work in July, 2002

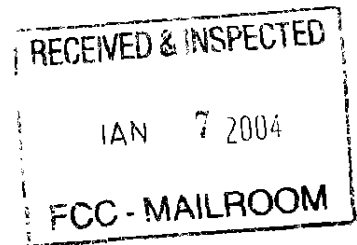
Compel obtained a Service Certification form and submitted that to Suzanne Lacomia at SLD. This form signed by the Applicants representative, Mr. Frank Frassetto of WUESD, shows that the services were provided by Compel on 7/30/02 and requested a contract extension through 9/30/02

In summary, the applicant, Washington Elementary School District made an error in its application for funding. As a service provider, Compel

- 1 Relied upon the information provided on FORM 486 Notification Letter Funding Commitment
- 2 Installed internal connections
- 3 Correctly applied for payment of ONE TIME services on the Service Provider Invoice Form 474
- 4 Submitted a request for and extension from the Applicant, WUESD and
- 5 Submitted the Service Certification form requested by SLD only to have payment rejected

www.compel.com

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Phoenix, AZ 85040
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License L-11 160386
B-01 162466



ENSURING  CONNECTIVITYSM

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Compel understands that the Applicant, WUESD made an error and applied for the wrong type of service. However, Compel, a Service Provider, clearly acted in the spirit of the SLD's E-Rate Program, provided valuable internal connections for WUESD and should be compensated for its installation.

Had WUESD applied for NON-RECURRING CHARGES, (checked a different box on the application) the application would have funded, the request to extend the contract so the work could be completed when school is out of session would have been approved and Compel would have been paid eighteen months ago.

The Service Provider, Compel should not be penalized for providing valuable internal connections to schools in the SPIRIT of E-Rate program and is entitled to \$99,783.13 in payment of Compel invoice #203961.

Therefore, Compel respectfully requests:

1. Confirmation that this appeal has been received.
2. An appeal of the SLD decision in this matter.

AUTHORIZED PERSON (PROVIDER -COMPEL)

Rob Nash-Boulden
Regional Accounting Manager
602-470-1234 - phone
602-470-4321 - fax
rob.nash-boulden@compel.com - email
SPIN #143008749

AUTHORIZED PERSON (APPLICANT -WUESD)

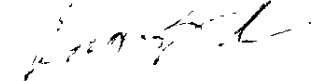
APPLICANT CONTACT INFORMATION

Mr. Frank J. Frassetto Jr., Director of MIS
Washington Unified Elementary School District
ffrasa@washeld.k12.az.us

SLD Contact Information

Ms. Suzanne Lacomia
slacomia@nec.a.org
973-884-8526 (phone)
973-599-6539 (fax)

Respectfully Submitted



Rob Nash-Boulden
Regional Accounting Manager
(602) 470-1234
rob.nash.boulden@compel.com

Attachments

1. Compel's Original Appeal to SLD
2. Administrator's Decision on Invoice Deadline Extension Request
3. Service Provider Invoice Form
4. Form 486 – Notification Letter Funding Commitment Synopsis
5. Certification by WUESD of Contract Extension with Service Provider (Compel)

To whom it may concern APPEALS SECTION

Contact Information
Rob Nash-Boulden
Regional Accounting Manager
602-470-1234 - phone
602-470-4321 - fax
rob.nash-boulden@compel.com - email
SPIN #143008749

SLD ACTION BEING APPEALED Bill date outside funding year, 285

FUNDING REQUEST NUMBER BEING APPEALED
587032

Basis of Appeal

Compel was verbally notified on 12/2/02 by Ms. Suzanne Lacomia of SLD that Compel's above referenced invoice #203961 in the amount of \$99,783.13 had been rejected. Compel was further verbally notified by Suzanne Lacomia that the reason for this decline / rejection was that the original form 471 application from Washington Elementary School District was apparently incorrectly listed as RECURRING SERVICES rather than ONE TIME.

In contrast to this verbal information from Suzanne, the SLD statement mailed to Compel states that the reason for the rejection of our payment application is "Date outside Funding year, 285".

In addition, Compel was required to obtain a Service Certification form and submitted that to Suzanne Lacomia at SLD. This form signed by the Applicant's representative, Mr. Frank Frassetto of WUESD, shows that the services were provided by Compel on 7/30/02 and requests a contract extension through 9/30/02.

In summary, Compel correctly applied for payment of ONE TIME services on the Service Provider Invoice Form 474, obtained and submitted an extension from the Applicant, WUESD, and submitted the Service Certification form requested by SLD only to have payment rejected.

Please consider this request for

1. Confirmation that this appeal has been received
2. An appeal of the SLD decision in this matter

AUTHORIZED PERSON (PROVIDER -COMPEL)

Rob Nash-Boulden
Regional Accounting Manager
602-470-1234 - phone
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rob.nash-boulden@compel.com - email
SPIN #143008749

AUTHORIZED PERSON (APPLICANT -WUESD)

APPLICANT CONTACT INFORMATION
Mr. Frank J. Frassetto Jr., Director of MIS
Washington Unified Elementary School District
ffrasa@washeld.k12.wa.us

SLD Contact Information

Ms. Suzanne Lacomia
slacomia@neca.org
973-884-8526 (phone)
973-599-6539 (fax)



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Invoice Deadline Extension Request

11/7/03

Rob Nash-Boulden
Compel Corporation
3901 East LaSalle
Phoenix, AZ 85040

Re	SLD Invoice Number	314684	BEAR or SPI: SPI
	SLD Line Number(s).	960493	Invoice Date: 08/01/2002
	Vendor Invoice Number	203961	
	471 Application Number	243709	
	Funding Request Number(s)	587032	
	Your Correspondence Dated	12/24/02	

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your invoice deadline extension request for the invoice number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your request included more than one invoice number, please note that for each invoice for which an invoice deadline extension request was submitted, a separate letter is being sent.

Invoice Number: 314684 Line(s): 960493
Decision on Request: **Denied**

Services are required to be provided within the fund year or the extension period. The first and last date that services were permitted to be delivered were 7/1/01 and 6/30/02, respectively. Your invoice indicated that services were delivered on 7/30/02.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

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- 1 Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us
- 2 State outright that your letter is an appeal. Identify which Administrative Decision you are appealing. Indicate the relevant funding year and the date of this letter. Your letter of appeal must also include the Billed Entity Name, the Form 471 Application Number, and the SLD Invoice Number from the top of your letter.
- 3 When explaining your appeal, copy the language or text from this letter that is at the heart of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
- 4 Provide an authorized signature on your letter of appeal

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We encourage the use of either the e-mail or fax filing options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company

Cc: Frank J. Frassetto Jr., Washington School District 6

Application ID: 314684

Universal Service for Schools and Libraries

Estimated Average Burden Hours Per Response 1 5 hours
(To be completed by Service Providers)

Please read instructions before completing

This form can be filed online or by mail.

SERVICE PROVIDER Invoice Form

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U S C Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec 1001

NOTICE TO INDIVIDUALS Section 69.619 of the Federal Communications Commission's rules requires the fund administrator to review bills for services and to determine the amount of universal service support to be disbursed to service providers. All service providers that have signed a contract or have tariffs in effect under which they provide discounted service to eligible schools and libraries who have received a Funding Commitment Decisions Letter from the fund administrator are required to submit this Service Provider Invoice Form to obtain universal service support for the amount of the discounts provided to eligible schools and libraries. This Service Provider Invoice Form informs the fund administrator of the amount of the discounts provided to eligible schools and libraries and for which the service provider seeks universal service support. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U S C § 254.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC, or (b) any employee of the FCC, or (c) the United States Government, is a party in a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information requested on the form, your application may be returned without action or your application may be delayed.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U S C § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U S C § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 1 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D C 20554.

1. Service Provider Name (30 characters maximum)	COMPEL		
2. Service Provider Identification Number (SPIN) (9 characters maximum)	143008749		
3. Contact Name (30 characters maximum)	SCOTT MCKEON		
4. Contact Telephone Number (14 digits maximum)	Area Code	Phone Number	Ext.
	602	4701234	0
Contact Fax Number (10 digits maximum)	Area Code	Fax Number	
	602	4704321	
Contact Email Address (100 characters maximum)	SCOTT.MCKEON@COMPEL.COM		
5. Invoice Number (25 characters maximum)	203961		
6. Invoice Date to SLD (mmddyyyy)	08012002		
7. Total Invoice Amount (sum on Column (14) - 14 2 digits maximum)	99783 13		

SERVICE PROVIDER Invoice Form

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	(8) FCC Form 471 Application Number (up to 10 digits) (from Funding Commitment Decisions Letter)	(9) Funding Request Number (FRN) (up to 10 digits) (from Funding Commitment Decisions Letter)	(10) Bill Frequency (e.g., Monthly, Quarterly, Annually, One- time, Other)	(11) Customer Billed Date (mmyyyy)	(12) Shipping Date to Customer or Last Day of Work Performed (mmddyyyy)	(13) Total (Undiscounted) Amount for Service per FRN (14.2 digits max.)	(14) Discount Amount Billed to SLD (14.2 digits max.)
				For each FRN, there should be an entry in Column (11) or Column (12) but NOT BOTH			
1	0000243709	587032	ONE-TIME	082002		112115 88	99783 13
2							
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14							
15							

FORM 486 NOTIFICATION LETTER FUNDING COMMITMENT SYNOPSIS
(Funding Year 4)

Service Provider Name: Compel Corporation
Service Provider Identification Number 143008749

Funding Request Number: 587032
Form 471 Application Number: 243709
Form 470 Application Number: 730550000295581
Name of 471 Applicant: WASHINGTON SCHOOL DISTRICT 6
Applicant Street Address: 8610 N. 19TH AVENUE
Applicant City: PHOENIX
Applicant State: AZ
Applicant Zip: 85027
Entity Number:
Name of Contact Person: Frank J. Frassetto Jr.
Preferred Mode of Contact: E-MAIL
Contact Information: FFRASA@WASHELD.K12.AZ.US
Name of Form 486 Contact Person: FRANK J. FRASSETTO, JR.
Address of Form 486 Contact: 8610 N. 19TH AVENUE
City of Form 486 Contact: PHOENIX
State Code of Form 486 Contact: AZ
Zip of Form 486 Contact: 85027
FAX of Form 486 Contact: 602-347-2836
Telephone of Form 486 Contact: 602-347-2681
E-mail Address of Form 486 Contact: FFRASA@WASHELD.K12.AZ.US
Funding Year: 07/01/2001 - 06/30/2002
Contract Number: N/A
Services Ordered: Internal Connections
Billing Account Number:
Actual Service Start Date: 03/27/2002
Contract Expiration Date: 06/30/2002
Total Program Year Pre-discount Amount: \$112,115.88
Applicant's Approved Discount Percentage: 89%
Funding Commitment Decision: \$99,783.13

11/16 SCHOOL
CONFIRMED
BY JOHN
O'NEILL

Suzana M. Lacomia
Phone: 973-884-8526
Fax: 973-599-6539
Email: slacomi@neca.org

SLD Invoicing**Fax**

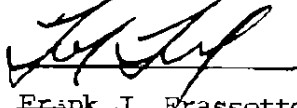
To: Frank J Frassetto, Jr From: Suzana
Fax 602-347-2836 Date: October 15, 2002
Phone: 602-347-2681 Pages: 1
Re: FRN 587032

☐ Urgent ☐ For Review ☐ Please Comment ☒ Please Reply ☐ Please Recycle

Comments:

Since you have an agreement with your service provider for a contract extension, please certify with your signature name, title and organization and fax back to me.

Since you have an agreement with your service provider for a contract extension, the contract underlying the subject FRN has been extended from 06/30/02 to 09/30/02. This contract extension is in compliance with state and local procurement regulations.

Signature: 
Name: Frank J. Frassetto Jr.
Title: Director of M.I.S.
Organization: Washington School District

If you have any questions or concerns, please call or email me. Return by fax back to me within seven calendar days to ensure prompt processing of the invoice.

5

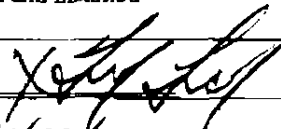
Service Certification

Service Provider Name	COMPEL
Service Provider SPIN	143008749
Service Provider Invoice #	203961
Undiscounted Invoice Amount	\$112,115.88
Discounted Invoice Amount	\$99,783.13

Applicant Name	WASHINGTON SCHOOL DISTRICT
Representative / Contact Name	FRANK FRASSETTO
Representative / Contact Title	MIS DIRECTOR
Representative / Contact Phone	(602) 347-2681
Billed Entity Number (BEN)	142907
471#	243709
FRN#	587032
Date Services Delivered and Installed	7/30/02

This is to certify that I am authorized to represent the above named applicant. This is also to certify the services described on the attached vendor invoice were delivered and installed.

Or The charges represented by the above represented invoice are deposits or up-front charges for services, which have not been delivered, and have been agreed to based on the contract between the above referenced Applicant and Service Provider.

Signed: 	Signed: _____
Date: 10/29/02	Date: _____
Copy of <u>detailed</u> vendor invoice must be attached	Copy of <u>supporting contract</u> must be attached if indicated below
	Supporting Contract Required YES ___ NO ___